

House File 2296

H-8031

1 Amend House File 2296 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 477.1, Code 2022, is amended to read as
5 follows:

6 **477.1 Right-of-way.**

7 Any person, firm, and corporation, within or without the
8 state, may construct a telegraph or telephone line or cable
9 system along the public roads of the state, or across or under
10 the rivers or over, under, or through any lands belonging to
11 the state or any private individual, and may erect or install
12 necessary fixtures. However, construction of a telegraph or
13 telephone line or cable system along a primary road is subject
14 to rules adopted by the state department of transportation.
15 For purposes of this subchapter, broadband infrastructure, as
16 defined in section 477.1A, shall be considered a necessary
17 fixture erected or installed in connection with a cable system.

18 Sec. 2. NEW SECTION. **477.1A Broadband infrastructure —**
19 **right-of-way.**

20 1. For purposes of this section, unless the context
21 otherwise requires:

22 a. "*Broadband infrastructure*" means the same as defined in
23 section 8B.1.

24 b. "*Municipality*" means the same as defined in section
25 419.1.

26 2. A municipality shall provide nondiscriminatory access
27 along a public road right-of-way and to a municipality-owned
28 conduit for the installation of broadband infrastructure for
29 the purpose of providing broadband services to the public. A
30 municipality shall not require a service provider to place the
31 broadband infrastructure within a municipality-owned conduit
32 as a condition of accessing a public road right-of-way. The
33 location of broadband infrastructure shall comply with section
34 318.9.>

35 2. Title page, by striking lines 1 and 2 and inserting <An

1 Act relating to broadband infrastructure installation pursuant
2 to a public road right-of-way or municipality-owned conduit.>

SORENSEN of Adair